

PATENT

ATTORNEY DOCKET NO.: 041465-5034-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Patent Application
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

17363 U.S. PTO
10/606831
06/27/03

PRIOR APPLICATION: Examiner: D. Robertson
Group Art Unit: 2186

CONTINUATION PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a patent application under 37 C.F.R. § 1.53(b).

1. This application is a [☒] Continuation [] Divisional [] Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 08/820,254, filed on March 18, 1997, of:

Inventor(s): Ryuichiro YOSHIMURA
Akihiro TOZAKI
Takao SAWABE
Yoshiaki MORIYAMA
Kaoru YAMAMOTO
Junichi YOSHIO

For: INFORMATION RECORD MEDIUM AND APPARATUS
FOR RECORDING THE SAME

2. The papers enclosed are as follows:

43 Page(s) of specification including:
00 Title Page
03 Page(s) of claims
01 Page of abstract
08 Sheet(s) of drawings containing 10 Figures
— Other: _____

3. Amendments

For continuation and divisional applications:

- ☒ [X] Cancel in this application original claims 1-4 in the enclosed copy of prior application before calculating the filing fee.
- ☒ [X] A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

4. Oath or Declaration

For continuation or divisional applications:

- ☐ [] A newly executed (original or copy) oath or declaration is enclosed.
- ☒ [X] A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ [] A signed statement deleting inventor(s) named in the prior application is enclosed.

For continuation-in-part applications:

- ☐ [] A newly executed (original or copy) oath or declaration is enclosed.
- ☐ [] An oath or declaration is not enclosed. This application is being filed under 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the declaration and paying the filing fees.

5. Relate Back - 35 U.S.C. § 120

- ☒ [X] Amend the specification by inserting before the first line the sentence:

“This is a continuation of copending Application No. 08/820,254, filed on March 18, 1997”.

6. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

☒ Priority of the following foreign application(s) is/are claimed:

Country	Application No.	Filed
Japan	08-62324	March 19, 1996

Certified copies: ☐ is/are attached.
 ☐ will follow.
 ☒ were filed in prior U.S. Application No. 08/820,254, on March 18, 1997.

7. Assignment

For continuation or divisional applications:

☒ The prior application is assigned of record to **PIONEER ELECTRONIC CORPORATION**, recorded March 18, 1997, at Reel/Frame 8462/0289.

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

For continuation-in-part applications:

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

18334 U.S. PRO
06/27/03

8. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$750.00 Design \$330.00
Total Claims (37 C.F.R. § 1.16(c))	15	0	\$ 18.00 each =	+ \$0.00
Independent Claims (37 C.F.R. § 1.16(b))	3	0	\$ 84.00 each =	+ \$0.00
Multiple dependent claim(s), if any (37 C.F.R. § 1.16(d))			\$280.00	+ \$
SUB-TOTAL =				\$750.00
Reduction by ½ for filing by a small entity				- \$
TOTAL FILING FEE =				\$750.00

9. Fee Payment

☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.** This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for paying the filing fees.

☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 in the amount of **\$880.00**, representing \$750.00 for the basic filing fee and \$130.00 for the petition fee.

10. Small Entity Status is not claimed and

☐ a statement claiming small entity status is enclosed, or

☐ a small entity statement was filed in the prior nonprovisional application and is still proper and desired.

11. ☒ The power of attorney in the prior application is to at least one of the registered practitioners of Morgan, Lewis & Bockius LLP included in the Customer Number provided below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number.

Please address all correspondence to Morgan, Lewis & Bockius LLP at **Customer Number: 009629**

12. ☐ Recognize as associate attorney _____.
(name, address, and registration no.)

13. ☒ **PETITION FOR EXTENSION OF TIME.** If any extension of time is necessary for the filing of this application, including any extension in the prior application, application no. 08/820,254, filed March 18, 1997 for the purpose of maintaining copendency between the prior application and the present application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 50-0310.

14. ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be an **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

15. Additional papers enclosed:

- ☒ Preliminary Amendment
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449, without references included
- ☒ Petition for Correction of Order of Inventors' Names
- ☒ Petition for an Objective Examiner (with Office Action dated December 4, 2002 from U.S. Application No.: 08/820,254 attached)
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: June 27, 2003

By:



Robert J. Hollingshead
Registration No. 44,479

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ryuichiro YOSHIMURA et al.)	
)	
Application No.: Not Yet Assigned)	Group Art Unit: Unknown
)	
Filed: March 18, 1997)	Examiner: TBA
)	
For: INFORMATION RECORD MEDIUM AND)	
APPARATUS FOR RECORDING THE SAME)	

Assistant Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

Sir:

PETITION FOR CORRECTION OF ORDER OF INVENTORS' NAMES


This is a Petition under 37 C.F.R. § 1.182 for correction of the order of the inventors' names as:
**--Ryuichiro YOSHIMURA, Akihiro TOZAKI, Takao SAWABE, Yoshiaki MORIYAMA,
 Kaoru YAMAMOTO, and Junichi YOSHIO--.**

The enclosed declaration and assignment incorrectly listed the order of the inventors. It is respectfully requested that this Petition be granted and that the order of the inventors' names be corrected.

The \$130.00 petition fee required by 37 C.F.R. § 1.17(h) is being submitted along with the application filing fee. The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment, to Deposit Account No. 13-4520.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
J. Michael Thesz
Reg. No. 40,354

Dated: March 18, 1997

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